

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION**

UNITED STATES OF AMERICA,

Plaintiff,

vs.

Case No. 2:21-cr-00089-SDM

JAMES V. BARLOW, et al.,

Defendants.

MOTION TO AMEND PRETRIAL RELEASE CONDITIONS

Now comes Defendant James V. Barlow, by and through undersigned counsel, and respectfully moves the Court to amend Mr. James Barlow's pre-trial release conditions.

At the change of plea hearing on November 23, 2021, Your Honor granted Mr. Barlow release pending sentencing with release conditions, *See ECF 82*. Condition 9(i) includes a travel restriction limiting Mr. Barlow to Nevada and the Southern District of Ohio for Court purposes only. At the time of that order, this Court allowed Mr. Barlow to travel to Utah for Thanksgiving with clear travel dates and return dates.

Mr. Barlow was also granted amended conditions for a trip to Utah to spend Christmas with family last year (Dec 21, 2021 – Dec 28, 2021), and to allow him to travel to Colorado to pick-up a vehicle (Jan 6, 2022 – Jan 13, 2022).

Mr. Barlow seeks a similar amendment for travel purposes as follows:

1. Travel to Utah for the purpose of spending Thanksgiving with family in Utah.
 - a. The specifics of this travel include:
 - i. Travelling by auto to Utah leaving Nevada on November 21, 2022 return no later than November 28, 2022.
2. During this trip to Utah (Nov 21-28), Mr. Barlow asks this Court to also allow him to travel from Utah to Idaho to visit his mother in person. She is currently serving a mission in Idaho for her church and is unable to travel to Utah for the Thanksgiving holiday.
 - a. This trip would be from Utah by automobile to Idaho on November 26, 2022 and return to Utah no later than November 27, 2022.

Counsel for Mr. Barlow has spoken with Mr. Hunter for the government, who does not oppose this request but defers to Mr. Barlow's pretrial release officers' decision. Counsel has also spoken with Mr. Barlow's pretrial officers (in both Nevada and Ohio), while the pretrial officer in Ohio has no objection, he would defer to the pretrial officer in Nevada, and at the time of this filing, counsel has not received a response from the pretrial officer in Nevada, after reaching her by phone and sending emails with the travel details.

Mr. Barlow is set currently to be sentenced in this case on December 7, 2022, in person before Your Honor, and expects this may be the last opportunity to see his family in person for a lengthy time period, and respectfully asks this Court to grant this request.

For all of these reasons, Mr. Barlow respectfully asks the Court to amend his release conditions as requested to allow him to travel outside of Nevada.

Respectfully submitted,

/s/ Christopher Mishler

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CERTIFICATE OF SERVICE

The Undersigned hereby certifies that a copy of the foregoing Motion was served upon Mike Hunter, Esq., attorney for Plaintiff, by email on this 15th day of November, 2022.

/s/ Christopher Mishler

Christopher Mishler (NV14402)